

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH EMMANUEL GAXIOLA,
Plaintiff,
v.
CITY OF MODESTO, et al.,
Defendants.

Case No. 1:25-cv-00208-CDB (PC)

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA
(Doc. 1)

Plaintiff Joseph Emmanuel Gaxiola (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action brought pursuant to 42 U.S.C. § 1983. Pending are his requests to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 and for the appointment of counsel. (Docs. 1, 2, 3). Plaintiff alleges Defendants City of Modesto, Stanislaus County Sheriff’s Department, sheriff-coroner Jeff Dirkse, and facility sergeant Joe Crabtree (collectively, “Defendants”) violated his civil rights during the time he was in custody as a prisoner/pretrial detainee at the Stanislaus County Sheriff’s Detention Center located in the City of Modesto, California. (Doc. 1 at 8).

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper division of a court may, on the court’s own motion, be transferred to the proper division of the court. E.D. Cal. L.R. 120(f). In this case, Plaintiff’s claims arose and the underlying events occurred at the Stanislaus County Sheriff’s Detention Center, located in Modesto, California,

1 which is in Stanislaus County. (Doc. 1). The named Defendants are entities or individuals of the
2 Stanislaus County Sheriff's Department and/or the City of Modesto in Stanislaus County. (*Id.*).
3 Stanislaus County is located in the Sacramento Division of the Eastern District of California. *See*
4 E.D. L.R. 120(d); 28 U.S.C. § 84(b). Therefore, the Court finds that the interests of justice will
5 be better served by transferring this case to the Sacramento Division of the Court. *See* 28 U.S.C.
6 § 1404(a). Thus, Plaintiff's motions to proceed *in forma pauperis* (Doc. 2) and for the
7 appointment of counsel (Doc. 3) will not be addressed until after reassigned to a magistrate judge
8 of the Sacramento Division.

9 **Conclusion and Order**

10 Accordingly, IT IS HEREBY ORDERED that this case is transferred to the United States
11 District Court for the Eastern District of California sitting in Sacramento.

12 All future filings shall reference the new Sacramento case number assigned and shall be
13 filed at:

14 United States District Court
15 Eastern District of California
15 501 I Street, Room 4-200
16 Sacramento, CA 95814

17 IT IS SO ORDERED.

18 Dated: February 19, 2025


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20 UNITED STATES MAGISTRATE JUDGE

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